



IFW

Docket No. 4992 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Barnett B. ROSENBLUM

Serial No.: 10/718,016

Filed: November 19, 2003

For: **POLYNUCLEOTIDE SEQUENCE
DETECTION ASSAYS**

) Group Art Unit: 1623
)

) Examiner: To be assigned
)

CERTIFICATE OF MAILING under 37 C.F.R. 1.8

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
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Sir:

Applicants submit herewith patents, publications or other information (listed on the attached Form PTO/SB/08A) of which they are aware, which may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement:

- (a) ☐ accompanies a new patent application submitted herewith.
- (b) ☐ is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR §1.491.
- (c) ☒ as far as is known to the undersigned, is filed before the mailing date of a first Office action on the merits.
- (d) ☐ as far as is known to the undersigned, is filed before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114.

- (e) ☐ is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final action under §1.113, a notice of allowance under §1.311, whichever occurs first, and is accompanied by either the fee (\$180) set forth in 37 CFR §1.17(p) or a certification as specified in 37 CFR §1.97(e), as checked below. Should any fee be due, the U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 01-2213 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement. Any deficiency or overpayment should be charged or credited to this deposit account. **A duplicate of this sheet is enclosed.**
- (f) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, but on or before the payment of the issue fee, and is accompanied by the fee (\$180) set forth in 37 CFR §1.17(i)(1) **and** a certification as specified in 37 CFR §1.97(e), as checked below. **This document is to be considered as a petition requesting consideration of the information disclosure statement.** The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 01-2213 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement. Any deficiency or overpayment should be charged or credited to this deposit account. **A duplicate of this sheet is enclosed.**

[If either of boxes (e) or (f) is checked above, the following "certification" under 37 CFR §1.97(e) may need to be completed.] The undersigned certifies that:

- ☐ Each item of information contained in the information disclosure statement was first cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this information disclosure statement.

A copy of all foreign patent documents and non-patent literature items listed on PTO/SB/08A are supplied herewith in accordance with 37 CFR §1.98(a)(2).

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR §1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR §1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR §1.98 and MPEP §609 and the Examiner is respectfully requested to consider the listed references.

Respectfully submitted,

Date: 12-8-04



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PTO/SB/08A (08-00)
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Substitute for form 1449A/PTO		DEC 13 2004		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		<i>(Use as many sheets as necessary)</i>		Application Number	10/718,016
				Filing Date	November 19, 2003
				First Named Inventor	ROSENBLUM
				Group Art Unit	1623
				Examiner Name	To be assigned
Sheet	1	of	3	Attorney Docket No.	4992 US

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ²			
	01	4,883,750		WHITELEY et al.	11/28/1989	
	02	4,988,617		LANDEGREN et al.	01/29/1991	
	03	5,185,243		ULLMAN et al.	02/09/1993	
	04	5,242,794		WHITELEY et al.	09/07/1993	
	05	5,427,930		BIRKENMEYER et al.	06/27/1995	
	06	5,470,705		GROSSMAN et al.	11/28/1995	
	07	5,476,930		LETSINGER et al.	12/19/1995	
	08	5,494,810		BARANY et al.	02/27/1996	
	09	5,514,543		GROSSMAN et al.	05/07/1996	
	10	5,516,641		ULLMAN et al.	05/14/1996	
	11	5,516,663		BACKMAN et al.	05/14/1996	
	12	5,521,065		WHITELEY et al.	05/28/1996	
	13	5,580,732		GROSSMAN et al.	12/03/1996	
	14	5,573,907		CARRINO et al.	11/12/1996	
	15	5,624,800		GROSSMAN et al.	04/29/1997	
	16	5,703,222		GROSSMAN et al.	12/30/1997	
	17	5,777,096		GROSSMAN et al.	07/07/1998	
	18	5,789,206		TAVTIGIAN et al.	08/04/1998	
	19	5,792,607		BACKMAN et al.	08/11/1998	
	20	5,807,682		GROSSMAN et al.	09/15/1998	
	21	5,830,711		BARANY et al.	11/03/1998	
	22	5,871,921		LANDEGREN et al.	02/16/1999	
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	24	5,912,148		EGGERDING	06/15/1999	
	25	5,962,223		WHITELEY et al.	10/05/1999	
	26	5,989,871		GROSSMAN et al.	11/23/1999	
	27	6,004,826		SEGEV	12/21/1999	
	28	6,027,889		BARANY et al.	02/22/2000	
	29	6,054,564		BARANY et al.	04/25/2000	
	30	6,054,266		KRONICK et al.	04/25/2000	
	31	6,268,148	B1	BARANY et al.	07/31/2001	
	32	6,280,935	B1	MACEVICZ	08/28/2001	
	33	6,312,892	B1	BARANY et al.	11/06/2001	
	34	6,395,486	B1	GROSSMAN	05/28/2002	
	35	6,511,810	B2	BI et al.	01/28/2003	
	36	6,558,928	B1	LANDEGREN	05/06/2003	
	37	6,632,606	B1	ULLMAN et al.	10/14/2003	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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	38	2002/0102592	A1	LANDEGREN	08/01/2002	
	39	2003/0032016	A1	BARANY et al.	02/13/2003	

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		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	40	EP	0 185 494	B1	APPLIED BIOSYSTEMS, INC.	05/20/1992		
	41	EP	0 246 864	B1	BIO-RAD LABORATORIES, INC.	07/13/1994		
	42	EP	0 320 308	B1	ABBOTT LABORATORIES	11/03/1993		
	43	EP	0 324 616	B1	AMOCO CORPORATION	03/29/1995		
	44	EP	0 596 918	B1	ABBOTT LABORATORIES	09/15/1999		
	45	EP	0 425 563	B1	DAVID SEGEV	05/15/1996		
	46	WO	99/66076		ORCHID BIOCOMPUTER, INC.	12/23/1999		
	47	WO	98/03673		CORNELL RESEARCH FOUNDATION, INC.	01/29/1998		
	48	WO	97/45559		CORNELL RESEARCH FOUNDATION, INC.	12/04/1997		
	49	WO	96/23903		ULF LANDEGREN	08/08/1996		
	50	WO	96/15271		ABBOTT LABORATORIES	05/23/1996		
	51	WO	91/17239		CORNELL RESEARCH FOUNDATION, INC.	11/14/1991		
	52	WO	03/044216	A3	PARALLELE BIOSCIENCE, INC.	05/30/2003		
	53	WO	03/044177	A3	PARALLELE BIOSCIENCE, INC.	05/30/2003		
	54	WO	03/012119	A3	BIOCYCLICA AB	02/13/2003		

OTHER ART - NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ²
	55	M. KHANNA et al., "Multiplex PCR/LDR for Detection of K-ras Mutations in Primary Colon Tumors" Oncogene (1999), Vol. 18, pp. 27-38			

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Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	56	P. GROSSMAN et al., "High-density Multiplex Detection of Nucleic Acid Sequences: Oligonucleotide Ligation Assay and Sequence-coded Separation" Nucleic Acids Research (1994), Vol. 22, No. 21, pp. 4527-4534	
	57	H. M. WENZ et al., "High-precision Genotyping by Denaturing Capillary Electrophoresis" Genome Research (1998), Vol. 8, pp. 69-80	
	58	U.S. Application No. 10/866,012, filed June 10, 2004, "Ligation Assay" 51 pgs. Specification; 3 pgs. Figures.	
	59	U.S. Application No. 10/982,619, filed November 4, 2004, "Concatameric Ligation Products: Compositions, Methods and Kits for Same" 88 pgs. Specification; 9 pgs. Figures	

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